

NORTHERN DISTRICT OF ALABAMA

FILED

2020 DEC 22 CIVIL ACTION NO. N/A

U.S. DISTRICT COURT
N.D. OF ALABAMA

4:20-cv-2051-RDP-GMB

FREDERICK ANTONIO FORD
PLAINTIFF,

V.

LEUTENANT-BAKER +
OFFICER JONES
DEFENDANTSJURISDICTION & VENUE

THIS IS A CIVIL ACTION AUTHORIZED BY 42 U.S.C. SECTION 1983 TO REDRESS THE DEPRIVATION, UNDER COLOR OF STATE LAW, OF RIGHTS SECURED BY THE CONSTITUTION OF THE UNITED STATES. THE COURT HAS JURISDICTION UNDER 28 U.S.C. SECTION 1331 AND 1343 (A)(3). PLAINTIFF FORD SEEKS DECLARATORY RELIEF PURSUANT TO 28 U.S.C. SECTION 2201 AND 2202. PLAINTIFF FORD SEEKS ~~INJUNCTIVE~~ RELIEF ~~AND~~ ~~SEEKS~~ ARE AUTHORIZED BY 28 U.S.C. SECTION 2283 + 2284 AND RULE 65 OF THE FEDERAL RULES OF CIVIL PROCEDURE.

THE NORTHERN DISTRICT OF ALABAMA IS AN APPROPRIATE VENUE UNDER 28 U.S.C. SECTION 1391 (B)(2) BECAUSE IT IS WHERE THE EVENTS GIVING RISE TO THIS CLAIM OCCURRED.

PLAINTIFF

PLAINTIFF FORD, IS AND WAS AT ALL TIMES MENTION HEREIN A PRISONER OF THE STATE OF ALABAMA IN THE CUSTODY OF THE ALABAMA DEPARTMENT OF CORRECTIONS AND IS CURRENTLY CONFINED IN ~~ALABAMA~~ ALABAMA STATE PRISON IN SPRINGVILLE ALABAMA

DEFENDANTS

DEFENDANT: (LEUTENANT-BAKER IS A SUPERVISOR FOR THE ALABAMA DEPARTMENT OF CORRECTION HE IS LEGALLY RESPONSIBLE FOR THE OPERATION OF OFFICER'S ON HIS SHIFT.

DEFENDANT: OFFICER JONES IS A CORRECTIONAL OFFICER OF THE ALABAMA DEPARTMENT OF CORRECTIONS WHO AT ALL TIMES MENTION IN THIS COMPLAINT, HELD THE RANK OF PRISON GUARD

Each DEFENDANT Is Sued Individually
 AND IN His OFFICIAL CAPACITY. AT All Times MENTION IN
 THIS COMPLAINT, EACH DEFENDANT ACTED UNDER THE COLOR OF
 STATE LAW

Facts.

ON DATE: 12-10-2020 I WAS SCHEDULE TO VISIT INFIRMARY FOR SICK CALL
 ON THIS SAME EXACT DATE I WENT TO THE INFIRMARY TO
 VISIT SICK CALL NURSE BECAUSE A RASH HAD OCCURED ON PRIVATE
 AREA OF PENIS THE NURSE ASKED ME TO PULL DOWN PANTS SO
 SHE CAN REVIEW THE RASH, SHE THEN SEEN THE RASH AND
 PRESCRIBED ME MEDICATED CREAM AS I WAS PULLING UP MY PANTS
 AND WENT OUT OF THE DOOR THE INFIRMARY OFFICER CALLED
 FOR ME TO COME BACK INSIDE SO I FOLLOWED ORDERS AND CAME
 BACK INSIDE HE THEN STATED TO ME TO PUT MY HANDS BEHIND
 MY BACK SO I CAN BE HANDCUFFED FOR INDECENT EXPOSER
 AS I WAS TRYING TO EXPLAIN TO HIM THAT HE WAS MISTAKEN
 WHAT TOOK PLACE HE SIAMMED ME TO THE FLOOR AND HANDCUFFED
 ME TO THE BACK AND CALLED FOR THE OTHER OFFICER'S TO COME
 HE THEN LIFTED ME OFF THE FLOOR AND EXCORTEED ME TO
 THE UPPER PART OF THE INFIRMARY TO GET BODY CHART
 AS I WAS SITTED IN THE CHAIR AWAITING BODY CHART
 (OFFICER JONES AND LEUTINATE BAKER) COME INSIDE THE DOOR
 OFFICER JONES STATED TO ME TO STAND UP SO I STOOD UP
 WHILE HANDCUFFED BEHIND BACK HE THEN HIT ME IN THE FACE
 REPEATEDLY ~~HE~~ THREW ME ON THE GROUND AND KICKED ME IN THE
 SHOULDER, FACE AND BACK. MY LIPS WAS BUSTED, SHOULDERS DISLOCATED
 AND TEETH CHIP A BODY CHART WAS DONE AND 12-PICTURES WAS TAKEN
 OF ME I FEARED FOR MY LIFE AND WAS SCARED SO I TRIED
 TO KILL MY AND WENT TO A SUICIDE CELL THE SAME EXACT DATE
 12-10-2020.

EXHAUSTION OF LEGAL REMEDIES.

THE SAME EXACT DATE: THE (WARDEN-BAIDIN) VISIT THE SUICIDE CELL I
 WAS IN AND ASKED ME TO WRITE A STATEMENT I WROTE
 A STATEMENT OF FACTS AND GAVE IT TO HIM. INCLUDING
 EVERYTHING THAT TOOK PLACE BUT NEVER DID RECIEVED JUSTICE.

Legal Claims

DEFENDANT: OFFICER JONES USED EXCESSIVE FORCE AGAINST PLAINTIFF FORD, BY PUNCHING HIM AND KICKING HIM IN THE FACE SHOULDERS, AND BACK THE ENTIRE TIME PLAINTIFF WAS RESTRAIN IN HANDCUFFS BEHIND BACK WHEN PLAINTIFF FORD WAS NOT VIOLATING ANY PRISON RULE, AND WAS NOT ACTING DISRUPTIVELY. DEFENDANT: OFFICER JONES ACTION VIOLATED PLAINTIFF FORD RIGHTS UNDER THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTIONAL AND CAUSED PLAINTIFF ~~PA~~ FORD PAIN, SUFFERING, PHYSICAL INJURY AND EMOTIONAL DISTRESS.

BY WITNESSING DEFENDANT JONES ILLEGAL ACTION, FAILING TO CORRECT THAT MISCONDUCT, AND ENCOURAGING THE CONTINUATION OF THE MISCONDUCT, (DEFENDANT: LEUTENANT BAKER IS ALSO VIOLATING PLAINTIFF FORD RIGHTS UNDER THE EIGHTH AMENDMENT TO THE UNITED STATE CONSTITUTION AND CAUSING PLAINTIFF FORD PAIN, SUFFERING, PHYSICAL INJURY AND EMOTIONAL DISTRESS. PLAINTIFF HAS ALREADY BEEN DIAGNOSE WITH AN (P.T.S.D./STRESS DISORDER) FOR NEARLY 5-YEARS NOW.

PRAYER FOR RELIEF

WHEREFORE PLAINTIFF RESPECTFULLY PRAY THAT THIS COURT ENTER JUDGMENT: GRANTING PLAINTIFF FORD A DECLARATION THAT THE ACTS AND OMISSIONS DESCRIBED HEREIN VIOLATED HIS RIGHTS UNDER THE CONSTITUTION AND LAWS OF THE UNITED STATES, AND A PRELIMINARY AND PERMANENT INJUNCTION ORDERING DEFENDANTS JONES AND BAKER TO CEASE THEIR PHYSICAL VIOLENCE AND THREATS TOWARD PLAINTIFF FORD. AND GRANTING PLAINTIFF FORD COMPENSATORY DAMAGES IN THE AMOUNT OF \$50,000 AGAINST EACH DEFENDANT, JOINTLY AND SEVERALLY.

PUNITIVE DAMAGES IN THE AMOUNT OF \$50,000 AGAINST EACH DEFENDANT, JOINTLY AND SEVERALLY.

GRANTING PLAINTIFF: GARANTEED PAROLE ON DATE: 12-1-2023

PLAINTIFF ALSO SEEKS A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY
PLAINTIFF ALSO SEEK RECOVERY OF COST IN THIS SUIT, AND ANY ADDITIONAL

RELIEF

THIS COURT DEEMS JUST, PROPER, AND REASONABLE.

DATED: 12-17-2020

Respectfully Submitted,

Frederick Antonio Ford

AI# 241963

1000 ST. CLAIR ROAD

ST. CLAIR CORRECTIONAL FACILITY

SPRINGVILLE, ALABAMA 35146

VERIFICATION

I HAVE READ THE FOREGOING COMPLAINT AND HEREBY VERIFY THAT THE MATTERS ALLEGED THEREIN ARE TRUE, EXCEPT AS TO MATTERS ALLEGED ON INFORMATION AND BELIEF, AND AS TO THOSE, I BELIEVE THEM TO BE TRUE. I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED AT SPRINGVILLE, ALABAMA (12-17-2020)

SIGNATURE: Frederick Ford

NORTHERN DISTRICT OF ALABAMA

FREDERICK ANTONIO FORD

PLAINTIFF

V.

MOTION FOR
APPOINTMENT OF COUNSELCASE NO. N/ALEUTENANT-BAKER &
OFFICER- CO-4-JONES.DEFENDANTS

Pursuant to 28 U.S.C. § 1915(E)(1)
 PLAINTIFF MOVES FOR AN ORDER Appointing Counsel To Represent
 Him IN THIS CASE. IN SUPPORT OF THIS Motion,
 PLAINTIFF STATES:

① PLAINTIFF IS UNABLE TO AFFORD COUNSEL
 He HAS Requested Leave To Proceed
 IN FORMA PAUPERIS.

② PLAINTIFF IMPRISONMENT Will greatly Limit
 His ABILITY To Litigate. THE ISSUES INVOLVED IN THIS
 CASE ARE COMPLEX, AND Will REQUIRE SIGNIFICANT RESEARCH
 AND INVESTIGATION. PLAINTIFF [REDACTED] NO ACCESS TO THE
 LAW LIBRARY AND LIMITED KNOWLEDGE OF THE LAW

③ A TRIAL IN THIS CASE Will LIKELY
 INVOLVE Conflicting Testimony, AND Counsel would BETTER
 ENABLE PLAINTIFF To Present Evidence AND CROSS
 EXAMINE witnesses.

④ PLAINTIFF HAS MADE Repeated EFFORTS To
 OBTAIN A LAWYER But DIDN'T get ANY positive
 RESULTS.

WHEREFORE, PLAINTIFF REQUESTS THAT THE COURT
APPOINT A MEMBER OF THE BAR, AS COUNSEL IN THIS CASE

12-17-2020

DATE

Frederick Ford

SIGNATURE

FREDERICK FORD

PRINT

1000 ST. CLAIR ROAD SPRINGVILLE ALABAMA 35146

ADDRESS

NEOPOL

12/18/2020

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STREET CURRENCY

DEC 22 2020
U.S. DISTRICT COURT

DEC 22 2020

U.S. DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

SHARON N. HARRIS
(CLERK) Room #140
UNITED STATES COURT HOUSE
1729 5TH AVENUE NORTH
BIRMINGHAM, ALABAMA 35203

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